

**Title 33**  
**ENVIRONMENTAL QUALITY**  
**Part VII. Solid Waste**  
**Subpart 1. Solid Waste Regulations**

**Chapter 5. Solid Waste Management System**

**Subchapter A. General Standards for Nonpermitted Facilities**

**§508. Standards Governing Non-Processing Transfer Stations for Solid Waste**

A. – A.4. ...

B. New facilities in which construction has commenced after June 20, 2007, shall comply with a buffer zone requirement of not less than 200 feet between the facility and the property line. Facilities transferring only nonputrescible waste shall comply with a buffer zone requirement of not less than 50 feet between the facility and the property line. A reduction in the buffer zone requirement shall be allowed only with ~~the~~ permission, in the form of a notarized affidavit, ~~offrom all adjoining landowners~~ having an ownership interest in property located less than 200 feet (or 50 feet, if applicable) from the facility. The facility's owner or operator shall enter a A-copy of the notarized affidavit(s) ~~waiving the 200-foot or 50-foot buffer zone requirement shall be entered~~ in the mortgage and conveyance records of the parish or parishes in which the ~~adjoining~~ landowners' properties are located. The affidavit(s) shall be maintained with the records of the facility. No storage of solid waste shall occur within a facility's buffer zone.

C. – M. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of the Secretary, Legal Affairs Division, LR 33:1034 (June 2007), amended LR 33:2142 (October 2007), LR 34:613 (April 2008), LR 35:\*\*.

**Chapter 7. Solid Waste Standards**

**Subchapter A. Landfills, Surface Impoundments, Landfarms**

**§709. Standards Governing Type I and II Solid Waste Disposal Facilities**

A. – B.2.d. ...

3. Buffer Zones

a. Buffer zones of not less than 200 feet shall be provided between the facility and the property line. A reduction in this requirement shall be allowed only with ~~the~~ permission, in the form of a notarized affidavit, ~~offrom all adjoining landowners~~ having an ownership interest in property located less than 200 feet from the facility. The facility's owner or operator shall enter a A-copy of the notarized affidavit(s) ~~waiving the buffer zone requirement shall be entered~~ in the mortgage and conveyance records of the parish or parishes in which the ~~for the adjoining~~ landowners' properties are located. Buffer zone requirements may be waived or modified by the administrative authority for areas of landfills that have been closed in accordance with these regulations and for existing facilities.

B.3.b. – E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), repromulgated LR 19:1315 (October 1993), amended by the Office of the Secretary, LR 24:2250 (December 1998), amended by the Office of Environmental Assessment, Environmental

Planning Division, LR 26:2521 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2490 (October 2005), LR 33:1045 (June 2007), LR 34:613 (April 2008), LR 35:\*\*.

## **Subchapter B. Solid Waste Processors**

### **§717. Standards Governing All Type I-A and II-A Solid Waste Processors**

A. – B.2.d. ...

#### **3. Buffer Zones**

a. Buffer zones of not less than 200 feet shall be provided between the facility and the property line. A reduction in this requirement shall be allowed only with the permission, in the form of a notarized affidavit, ~~off from all adjoining landowners~~ having an ownership interest in property located less than 200 feet from the facility. The facility's owner or operator shall enter a A-copy of the notarized affidavit(s) ~~waiving the buffer zone requirement shall be entered~~ in the mortgage and conveyance records of the parish or parishes in which the for the adjoining landowners' properties are located. Buffer zone requirements may be waived or modified by the administrative authority for areas of processing facilities that have been closed in accordance with these regulations and for existing facilities.

B.3.b. – I.3. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of the Secretary, LR 24:2252 (December 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2526, 2610 (November 2000), repromulgated LR 27:704 (May 2001), amended by the Office of Environmental Assessment, LR 30:2025 (September 2004), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2494 (October 2005), LR 33:1061 (June 2007), LR 33:2148 (October 2007), LR 34:613 (April 2008), LR 35:\*\*.

## **Subchapter C. Minor Processing and Disposal Facilities**

### **§719. Standards Governing All Type III Processing and Disposal Facilities**

A. – B.2.d. ...

#### **3. Buffer Zones**

a. Buffer zones of not less than 50 feet shall be provided between the facility and the property line. A reduction in this requirement shall be allowed only with the permission, in the form of a notarized affidavit, ~~off from all adjoining landowners~~ having an ownership interest in property located less than 50 feet from the facility. The facility's owner or operator shall enter a A-copy of the notarized affidavit(s) ~~waiving the buffer zone requirement shall be entered~~ in the mortgage and conveyance records of the parish or parishes in which the for the adjoining landowners' properties are located. Buffer zone requirements may be waived or modified by the administrative authority for areas of woodwaste/construction/demolition-debris landfills that have been closed in accordance with these regulations and for existing facilities. Notwithstanding this Paragraph, Type III air curtain destructors and composting facilities that receive putrescible, residential, or commercial waste shall meet the buffer zone requirements in LAC 33:VII.717.B.3. In addition, air curtain destructors shall maintain at least a 1,000-foot buffer from any dwelling other than a dwelling or structure located on the property on which the burning is conducted (unless the appropriate notarized affidavit waivers are obtained).

B.3.b. – E.2. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2001 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2527 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 31:2495 (October 2005), LR 33:1065 (June 2007), LR 33:2149 (October 2007), LR 34:613 (April 2008), LR 35:\*\*.